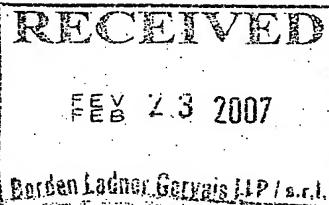




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February 21, 2007

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Application No. : 2,514,049
Owner : NAVITIME JAPAN CO., LTD.
Title : NAVIGATION APPARATUS NAVIGATION METHOD AND
PROGRAM
Classification : G01C 21/00 (2006.01)
Your File No. : PAT 59596W-1
Examiner : Hassan Jaferi

YOU ARE HEREBY NOTIFIED OF :

- A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SUBSECTION 30(2) OF THE *PATENT RULES*;
- A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SECTION 29 OF THE *PATENT RULES*.

IN ORDER TO AVOID MULTIPLE ABANDONMENTS UNDER PARAGRAPH 73(1)(A) OF THE *PATENT ACT*, A WRITTEN REPLY TO EACH REQUISITION MUST BE RECEIVED WITHIN 6 MONTHS AFTER THE ABOVE DATE.

This application has been examined taking into account the:

Description, pages 1-24, as received on July 20, 2005 during the national phase;
Claims, 1-9, as received on July 20, 2005 during the national phase; and
Drawings, as originally filed.

The number of claims in this application is 9.

The examiner has identified the following defects in the application:

The following document was identified by word searching in the Delphion data base. The search of the prior art has revealed the following:

Reference Applied:

United States Patent
20030109266

June 12, 2003

H04Q 7/20

Rafiah et al.

Rafiah et al. disclose an integrated journey planner that combines timetabled information and non-timetabled information to provide journey information.

The claims on file do not comply with section 28.3 of the *Patent Act*. The subject matter of these claims would have been obvious on the claim date to a person skilled in the art or science to which they pertain having regard to Rafiah et al. Independent claims 1, 3 and 6 recite a navigation apparatus comprising a route acquiring unit that acquires a route that connects a departure place to a destination through different kinds of transportation, a guiding unit that performs guidance based on the route and a guidance controller that receives an instruction whether to perform the guidance for each of the section routes. Rafiah et al. teach a method of providing journey information to a user between two user selected locations (column 2, [0018] - column 3, [0047]). Specifically, this method includes the capability of reconstructing user requests from a plurality of knowledge stores into at least one journey option, between the two user selected locations incorporating different modes of transportation (column 4, [0064] - column 12, [0157]). The additional features in the dependent claims 2, 4-5, method claims 6-7 and program claims 8-9 relate to minor design details and/or implementation measures, which are known or directly derivable from the above-referenced document or constitute normal practices of a person skilled in the art. As such these claims should be amended to recite a patentable advance in the art.

Claims 1, 3 and 6-9 are indefinite and do not comply with subsection 27(4) of the *Patent Act*. The second introduction (use of an indefinite article) of an element already introduced causes ambiguity. The terms:

"a section route" (claims 1, 6, 8, 9, lines 9, 7, 9, 9)
"an instruction" (claims 1, 3, 6, 7, 8, 9, lines 9, 10, 8, 7, 9, 9)
"a route" (claims 8, 9, lines 4, 4)

have been defined previously in the claims. The aforementioned terms should therefore be referred to using a definite article.

Claims 3, 7 and 9 are indefinite and do not comply with subsection 27(4) of the *Patent Act*. Claims containing a negative expression such as "not to perform the guidance" is objectionable in that claims should generally set forth what the invention is or does, and not what it is not or does not do.

Section 29 of the Patent Rules requisition

Under section 29 of the *Patent Rules*, the applicant is requisitioned to provide:

- identification of any prior art cited in respect of the United States Patent and Trademark Office, and European Patent Office applications describing the same invention on behalf of the applicant or on behalf of any other person claiming under an inventor named in the present application, and the patent numbers, if granted, subsequent to the International Search Report under paragraph 29(1)(a) of the *Patent Rules*.

To satisfy this requisition, applicant should provide all the preceding information or documents, or provide in accordance with subsection 29(3) of the *Patent Rules* a statement of reasons why any information or document is not available or known.

In view of the foregoing defects, the applicant is requisitioned, under subsection 30(2) of the *Patent Rules*, to amend the application in order to comply with the *Patent Act* and the *Patent Rules* or to provide arguments as to why the application does comply.

Hassan Jaferi
Patent Examiner
819-934-2672